

**TENNESSEE GENERAL ASSEMBLY
FISCAL REVIEW COMMITTEE**



FISCAL NOTE

SB 1850 - HB 2447

February 23, 2016

SUMMARY OF BILL: Requires the Office of Vital Records to notify the Controlled Substance Database Committee (CSDC), and the CSDC shall investigate, whenever a death certificate identifies an individual's cause of death as an overdose of opiates for which such drugs were prescribed, in order to identify the prescribers that may have been associated with the person's death and whether the prescribers acted in good faith. Requires the CSDC to refer the names of any such prescribers to the appropriate health-related board and further requires the CSDC to comply with applicable confidentiality and privacy standards set by state and federal law.

ESTIMATED FISCAL IMPACT:

Increase State Expenditures –

\$21,500/One-Time/Division of Health Related Boards

\$581,800/Recurring/Division of Health Related Boards

Assumptions:

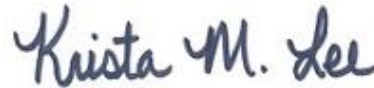
- This legislation requires the CDSC to investigate both prescribers and dispensers to confirm whether the healthcare providers are associated with a death.
- According to the Department of Health, in 2015, there were approximately 1,263 overdose deaths. This number is assumed to remain constant in subsequent years.
- The CSDC does not have the current staffing levels to handle investigations for up to 1,263 overdose cases each year.
- The CSDC will require the following five additional positions to meet the requirements of this legislation: three additional investigators, one additional medical consultant, and one additional attorney.
- A recurring increase in state expenditures of \$581,813 for five additional positions (salary \$439,428 + benefits \$132,385 + communications \$7,000 + supplies \$3,000).
- A one-time increase in state expenditures of \$21,500 (office furniture \$13,500 + computer \$8,000).
- Pursuant to Tenn. Code Ann. § 53-10-303, the membership of the CSDC is comprised of members from eight prescribing boards.
- The prescribing boards are as follow: Board of Dentistry, Board of Medical Examiners, Board of Nursing, Board of Optometry, Board of Osteopathic Examination, Board of Podiatry, Board of Veterinary Medical Examiners, and Board of Pharmacy.

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- The allocation of expenses among these boards will vary depending on the license of the prescriber or dispenser.
- Pursuant to Tenn. Code Ann. § 4-29-121, all health related boards are required to be self-supporting over any two year period.
- The Board of Dentistry had a surplus of \$220,760 in FY13-14, \$307,396 in FY14-15, and a cumulative reserve balance of \$ on June 30, 2015.
- The Board of Medical Examiners had a deficit of \$75,431 in FY13-14, \$359,446 in FY14-15, and a cumulative reserve balance of \$2,725,411 on June 30, 2015.
- The Board of Nursing had a surplus of \$1,168,922 in FY13-14, \$1,363,944 in FY14-15, and a cumulative reserve balance of \$7,635,111 on June 30, 2015.
- The Board of Optometry had a surplus of \$99,765 in FY13-14, \$30,459 in FY14-15, and a cumulative reserve balance of \$660,321 on June 30, 2015.
- The Board of Osteopathic Examination had a surplus of \$94,728 in FY13-14, \$72,782 in FY14-15, and a cumulative reserve balance of \$614,410 on June 30, 2015.
- The Board of Podiatry had a surplus of \$27,683 in FY13-14, \$45,010 in FY14-15, and a cumulative reserve balance of \$243,759 on June 30, 2015.
- The Board of Veterinary Medical Examiners had a surplus of \$45,867 in FY13-14, \$72,029 in FY14-15, and a cumulative reserve balance of \$413,189 on June 30, 2015.
- The Board of Pharmacy had a deficit of \$66,136 in FY13-14, \$284,085 in FY14-15, and a cumulative reserve balance of \$1,444,168 on June 30, 2015.

CERTIFICATION:

The information contained herein is true and correct to the best of my knowledge.



Krista M. Lee, Executive Director

/jdb